
TOWN OF SOUTHEAST PLANNING BOARD AGENDA

April 25, 2016

CIVIC CENTER, 1360 Route 22

7:30 p.m.

PUBLIC HEARINGS:

- 1. GLICKENHAUS PRIVATE ACADEMY, 150 Deans Corner Road** – Continued Public Hearing to Review an Application for Site Plan and Wetland Permit
- 2. BREWSTER RETAIL OUTLET, 1224 Route 22** – Public Hearing to Review an Application for Site Plan

REGULAR SESSION:

- 1. GRACE ASSEMBLY OF GOD, 510 Route 312** – Request for Extension of Site Plan Approval
- 2. BREWSTER ICE ARENA & 7 SUTTON PLACE, 63 Fields Lane & 7 Sutton Place** – Review of Application for Final Approval of Site Plan Amendment
- 3. Approve Meeting Minutes from March 21, 2016**
- 4. Approve Meeting Minutes from April 11, 2016**

April 22, 2016

VAD

Agenda Subject to Change

TOWN OF SOUTHEAST

APPLICATION SUMMARY SHEET

Proj. Name: Glickenhous Private Academy **S/B/L:** 78.-2-25 **Zone:** OP-1

Description: Private soccer academy comprising a 40,500 sf building with a half court field and facilities, a 94,500 sf synthetic turf field, an 86,400 sf grass field, and associated parking. A separate office building (formerly proposed restaurant) and associated parking is also proposed on the site. The project site is a 31.5 acre lot in the OP-1 Zoning District with access from Deans Corners Road. Application requires TOSE wetland and ACOE wetland permits for disturbance to wetlands, wetland buffer, and tributary to Holly Stream. NYSDEC wetland permit may also be required.

Engineer: Kellard Sessions

SEQR ACTIONS COMPLETED:		TYPE OF ACTION: Type 1 Action	
<input type="checkbox"/> Intent to Declare Lead Agency		Date:	
<input type="checkbox"/> Declare Lead Agency		Date:	
<input type="checkbox"/> EAF Submitted		Date:	
<input type="checkbox"/> Determination of Significance by Board		Date(s):	
MAJOR/MINOR PROJECT: Major Project			
Date Classified:	Waiver of Public Hearing (Minor Project Only)? <input type="checkbox"/> Y <input type="checkbox"/> N		
LOCAL AND AGENCY REVIEW REQUIRED?		REFERRAL DATE STATUS/DATE OF LETTER	
Yes	No		
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Town Board (ARB Sign off)	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Town of Southeast ARB	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Wetland Permit (Major)	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Historic Sites Commission	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Town Highway Department	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	MS4 Permit	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	County Planning Department (GML)	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	County Highway Department	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	County Health Department	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	NYSDEC	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	NYCDEP	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	NYSDOT	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	OPRHP	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Army Corps of Engineers	
VARIANCES OR BOARD WAIVER (IF APPLICABLE) <input type="checkbox"/> Y <input type="checkbox"/> N			
Variance or Waiver Request:			
Date Granted or Denied, and any conditions:			
PLANNING BOARD ACTIONS:			
Date	Discussion/Decisions/Resolutions		
1/13/14	Sketch Review		
5/11/15	Declare Intent to be Lead Agency for Type 1 & Coordinated Action; Classify as Town of Southeast "Major Project" and Set Public Hearing		
6/8/15	Open PH & continue PH		
7/13/15	PH continued to 8/24/15 (<i>NOTE: 8/24/15 meeting later cancelled</i>)		
9/28/15	PH Continued to 10/26/15		
10/26/15	PH Continued		
11/9/15	PH Continued to 1/11/16 per Applicant's request		
2/22/16	Opened & continued PH to 3/7/16		
3/7/16	Opened PH & continued PH to 4/25/16		
4/25/16			

RECOMMENDED ACTION FOR MEETING:

- 1) Open PH
- 2) Discuss with applicant when TIS will be submitted & continue PH to that date.

NOTE: SEQRA cannot be completed until revised traffic study submitted.



Environmental and Planning Consultants

34 South Broadway
Suite 401
White Plains, NY 10601
tel: 914 949-7336
fax: 914 949-7559
www.akrf.com

Memorandum

To: Town of Southeast Planning Board
From: Ashley Ley, AICP
Date: April 25, 2016
Re: Glickenhau Private Academy
cc: Kellard Sessions, Rick O'Rourke

AKRF, Inc. has reviewed the following documents and plans for the above reference application

1. Lighting Plan for Glickenhau Private Academy for the soccer fields (2 sheets), prepared by Techline Sports Lighting, dated 3/7/16 and 3/11/16
2. Lighting specifications for Glickenhau Soccer (8 sheets), Prepared by Mark Reynolds of Techline Sports Lighting
3. Lighting Plan for Glickenhau Private Academy for the parking lot, Prepared by Visuals, dated 4/4/16
4. Landscape Plan for Glickenhau Private Academy, prepared by Robert Sherwood Landscape Architect LLC., dated 4/8/16
5. Sheet 1/16 "Existing Conditions Site Plan," prepared by Kellard Sessions Consulting, P.C., dated (last revised) 4/11/16
6. Army Corps of Engineers Nationwide Permit issued March 7, 2016
7. Engineer's Report prepared by Delaware Engineering dated February 8, 2016

PROJECT DESCRIPTION

The Proposed Project would be located on a 31.5 acre site at 291 Deans Corner Road in the OP-1 Commercial Zoning District, in the Town of Southeast. The applicant proposes to construct a private soccer training facility and office building with associated parking. The current application has been modified from the original submission to include a standalone office building instead of a restaurant.

The soccer academy would be used by the private soccer club and not open to the public. There would be two outdoor fields, one of which would be grass (86,400 sf) and the other artificial turf (94,500 sf). The academy building, which would have a 40,500 sf footprint, would contain a half-court field, locker rooms, kitchen, and offices. A drop-off location would be located at the front of the academy building and there would be parking for 52 cars. The associated office building would be 2-stories, 8,000 sf, and have 34

parking spaces. It is proposed to serve the administration of the soccer academy. Driveways, stormwater management facilities, and an extension of the sewer/water facilities from the Fortune Ridge subdivision are also proposed.

“Office” is a permitted principal use and “Recreation” is a conditional use in the OP-1 Zoning District. The Proposed Project will require site plan, conditional use permit, and wetland permit approval from the Planning Board.

There are two un-named NYSDEC classified “C” watercourses that traverse the northern edge of the property, as well as a Town of Southeast regulated wetland, and an Army Corps of Engineers (ACOE) wetland. The existing watercourses are impounded by an existing dam on the western side of the property to create a pond. The proposed driveway will be constructed within the 100’ NYCDEP wetland/watercourse buffer, and will include two stream crossings. In addition to the Town of Southeast wetland permit, an ACOE permit, and a NYSDEC wetland permit will also be required.

COMMENTS

The following comments in *italics* are from AKRF’s March 3, 2016, memorandum. Follow-up comments are in **bold**.

1. *A Wildlife Endangered/Threatened Species Survey has been provided. The Applicant conducted Phase 1 surveys for bog turtles (*Clemmys muhlenbergii*), Indiana bats (*Myotis sodalis*) and northern longeared bat (*Myotis septentrionalis*). The Applicant found no suitable bog turtle habitat on-site. The Applicant found that the project site does present suitable habitat for the Indiana bat and/or northern long eared bat as it includes stands of trees having known characteristics of summer roosting habitats. As a result, a Phase 2 acoustical survey was conducted. The Phase 2 survey did not detect the presence of either bat species on-site.*

We understand that an ACOE permit has been issued, and that it includes mitigation measures to avoid disturbance to the northern longeared and Indiana bats. AKRF has reached out to NYSDEC to see if any additional mitigation will be required by that agency.

2. *AKRF’s May 6, 2015 memorandum included a number of comments on the Traffic Impact Study (TIS) which were not addressed in the current submission. AKRF staff met with the Applicant’s traffic consultant on March 2, 2016, to discuss the TIS. AKRF stressed the importance of providing good sourced data for the trip generation and parking numbers. The Applicant’s traffic consultant agreed to either conduct surveys at comparable facility (if any) or to provide detailed backup from the applicant regarding their proposed operations. AKRF also requested more detail regarding the parents not staying for the training sessions, as this affects the onsite parking demand. A revised TIS should be provided before a SEQRA determination is made.*

The revised TIS has not yet been submitted. We understand that it will be submitted by May 7, 2016.

3. *As requested in AKRF’s May 6, 2015 memorandum, a lighting and landscaping plan should be provided. This is a requirement of the Preliminary Plan submission, as such, it should be provided before the public hearing is closed.*

This comment has been satisfactorily addressed. The proposed lighting plan complies with the Town of Southeast regulations.

4. *A Phase 1 Archaeological Survey was conducted on the site and no archaeologically sensitive areas were identified. The Applicant has provided a letter from the NYS Office of Parks, Recreation, and Historic Preservation which supports the conclusion that the proposed project would have no effect on archaeological or historic resources.*

No further action is required.

5. *As identified in AKRF's May 6, 2015 memorandum, the proposed project would extend the existing water/sewer mains from the Fortune Ridge subdivision (formerly known as Meadows at Deans Corners) to the Project Site. Information on the proposed extension route should be provided. In addition, capacity of the facilities at full build for Fortune Ridge subdivision and the Proposed Project should be provided. This information should be provided before a SEQRA determination is made.*

An engineering report has been submitted. AKRF defers to the Town Engineer as to whether or not additional information is required.

6. *The letter from Brian Hildenbrand, PE, dated 2/8/16, included responses to AKRF's and Jacobson's May 2015 comment letters, however no responses to Stephen Coleman's May 2015 comments were provided.*

Responses to Stephen Coleman's comments have been provided. AKRF defers to Stephen Coleman as to whether additional information is required.

RECOMMENDED ACTIONS

At the April 25, 2016, Planning Board meeting, AKRF recommends that the Planning Board open and continue the Public Hearing, and discuss with the Applicant the timeline for submitting the TIS and the Public Hearing should be continued to that date.

TOWN OF SOUTHEAST

APPLICATION SUMMARY SHEET

Proj. Name: Brewster Retail Outlet

S/B/L: 57.-2-42

Zone: RC

Description: Renovation of existing gas station/service center to gas station/convenience store. Applicant proposes to expand the parking area and related improvements, and a new canopy. The Project Site is pre-existing non-conforming and will require several area variances, a determination by the Planning Board under 138-11.D, and Site Plan Approval.

Engineer: Folchetti

SEQR ACTIONS COMPLETED:

TYPE OF ACTION: Unlisted

- Intent to Declare Lead Agency
- Declare Lead Agency
- EAF Submitted
- Determination of Significance by Board

Date:
Date:
Date:
Date(s):

MAJOR/MINOR PROJECT: Major Project

Date Classified: _____ Waiver of Public Hearing (Minor Project Only)? Y N

LOCAL AND AGENCY REVIEW REQUIRED?

REFERRAL DATE

STATUS/DATE OF LETTER

Yes No

- Town Board
- Town of Southeast ARB
- Wetland Permit
- Historic Sites Commission
- Town Highway Department
- MS4 Permit
- County Planning Department (GML)
- County Highway Department
- County Health Department
- NYSDEC
- NYCDEP
- NYSDOT
- Army Corps of Engineers

VARIANCES OR BOARD WAIVER (IF APPLICABLE) Y N

Variance or Waiver Request: _____

Date Granted or Denied, and any conditions: _____

PLANNING BOARD ACTIONS:

Date	Discussion/Decisions/Resolutions
3/21/16	Declared Intent to be Lead Agency for Unlisted/Coordinated Action; classified as Major Project; set Public Hearing
4/25/16	

RECOMMENDED ACTION FOR MEETING:

- 1) Declare Lead Agency
- 2) Open/Close Public Hearing
- 3) Consider Negative Declaration
- 4) Refer to ARB & ZBA

**PLANNING BOARD
TOWN OF SOUTHEAST, NEW YORK
RESOLUTION TO DECLARE LEAD AGENCY**

INTRODUCED BY: Rush

DATE: April 25, 2016

SECONDED BY: Jonke

WHEREAS, the Planning Board of the Town of Southeast is in receipt of an application for a site plan, and other supporting documents for a project entitled **BREWSTER RETAIL OUTLET**; and

WHEREAS, the proposed project is located at 1224 Route 22 in the RC Zoning District in the Town of Southeast and identified as Tax Map ID 57.-2-42; and

WHEREAS, the applicants propose renovation of an existing gas station/service center to gas station/convenience store, expanding the parking area and related improvements, and a new canopy; and

WHEREAS the Planning Board scheduled a public hearing on the proposed site plan for 4/25/16; and

WHEREAS, the Planning Board declared its Intent to be Lead Agency for the project on 3/21/16; and

WHEREAS, pursuant to §617.6(b)(3) of the State Environmental Quality Review Act (SEQRA), the aforementioned information was mailed to all involved agencies, notifying them that a Lead Agency must be agreed upon within thirty (30) days of the date that the aforementioned information was mailed, and

NOW, THEREFORE BE IT RESOLVED, that the Planning Board of the Town of Southeast will serve as Lead Agency for purposes of SEQRA for this Unlisted and Coordinated Action.

UPON ROLL CALL VOTE:

T. LaPerch, Chairman	<u>absent</u>	D. Rush, Vice Chairman	<u>yes</u>
P. Wissel, Boardmember	<u>absent</u>	D. Armstrong, Boardmember	<u>yes</u>
E. Cyprus, Boardmember	<u>absent</u>	M. Hecht, Boardmember	<u>yes</u>
P. Jonke, Boardmember	<u>yes</u>		<u> </u>

The resolution was passed by a vote of 4 to 0, with 3 absent.

D. Rush
D. Rush, Acting Chairman
Southeast Planning Board

WHEREAS, the Planning Board held a publically noticed meeting on 4/25/16, at which time members of the public were given the opportunity to comment on the proposed project; and

WHEREAS, the Planning Board has reviewed the short Environmental Assessment Form (EAF) and has thoroughly analyzed the information concerning relevant areas of environmental concern both submitted by the applicant and gather by the Planning Board through its consultants and the public; and

WHEREAS, in addition to the factors considered above, the Planning Board considered the following guidance from the State Environmental Quality Review Act and its implementing regulations and determined that the Proposed Action would:

- (i) Not result in "a substantial adverse change in existing air quality, ground or surface water quality or quantity, traffic or noise levels; a substantial increase in solid waste production; a substantial increase in potential for erosion, flooding, leaching or drainage problems;" (§617.7(c)(1)(i))
- (ii) Not result in "the removal or destruction of large quantities of vegetation or fauna; substantial interference with the movement of any resident or migratory fish or wildlife species; impacts on a significant habitat area; substantial adverse impacts on a threatened or endangered species of animal or plant, or the habitat of such a species; or other significant adverse impacts to natural resources;" (§617.7(c)(1)(iii))
- (iii) Not result in "the impairment of the environmental characteristics of a Critical Environmental Area as designated pursuant to subdivision 617.14(g) of this Part," (§617.7(c)(1)(iii))
- (iv) Not result in "the creation of a material conflict with a community's current plans or goals as officially approved or adopted;" (§617.7(c)(1)(iv))
- (v) Not result in "the impairment of the character or quality of important historical, archaeological, architectural, or aesthetic resources or of existing community or neighborhood character;" (§617.7(c)(1)(v))
- (vi) Not result in "a major change in the use of either the quantity or type of energy;" (§617.7(c)(1)(vi))
- (vii) Not result in "the creation of a hazard to human health;" (§617.7(c)(1)(vii))
- (viii) Not result in "a substantial change in the use, or intensity of use, of land including agricultural, open space or recreational resources, or in its capacity to support existing uses;" (§617.7(c)(1)(viii))
- (ix) Not result in "the encouraging or attracting of a large number of people to a place or places for more than a few days, compared to the number of people who would come to such place absent the action;" (§617.7(c)(1)(ix))
- (x) Not result in "the creation of a material demand for other actions that would result in one of the above consequences;" (§617.7(c)(1)(x))
- (xi) Not result in "changes in two or more elements of the environment, no one of which has a significant impact on the environment, but when considered together result in a substantial adverse impact on the environment; or (§617.7(c)(1)(xi))

NOW, THEREFORE BE IT RESOLVED that the Planning Board of the Town of Southeast, acting as Lead Agency, and having reviewed the EAF and all supplementary information, has determined that the proposed action will not have a significant effect on the environment and a Draft Environmental Impact Statement will not need to be prepared.

For Further Information:

Contact Person: Victoria Desidero
Address: Town of Southeast Planning Department
One Main Street
Brewster, NY 10509
Telephone Number: (845) 279-7736

A Copy of this Notice has been filed with:

INVOLVED/INTERESTED AGENCY	
Putnam County Department of Health 1 Geneva Road Brewster, New York 10509	Town Board 1360 Route 22 Brewster, NY 10509
SEQR Unit New York State Department of Transportation Traffic Engineering & Safety Division 4 Burnett Blvd. Poughkeepsie, NY 12603	Town Clerk 1360 Route 22 Brewster, NY 10509
New York State Department of Environmental Conservation 625 Broadway Albany, NY 12233 ATTN: Commissioner	Zoning Board of Appeals 1 Main Street Brewster, NY 10509
New York State Department of Environmental Conservation Region 3 21 South Putt Corners New Paltz, NY 12561 ATTN: Regional Director	Architectural Review Board 1 Main Street Brewster, NY 10509
New York City Department of Environmental Protection Bureau of Water Supply 465 Columbus Avenue Valhalla, New York 10595-1336	Building Inspector 1 Main Street Brewster, NY 10509
Putnam County Highways & Facilities 842 Fair Street Carmel New York 10512	Putnam County Department of Planning/Development & Public Transportation Putnam County Transit Facility 841 Fair Street Carmel, New York 10512

UPON ROLL CALL VOTE:

T. LaPerch, Chairman	<u>absent</u>	D. Rush, Vice Chairman	<u>yes</u>
P. Wissel, Boardmember	<u>absent</u>	D. Armstrong, Boardmember	<u>yes</u>
E. Cyprus, Boardmember	<u>absent</u>	M. Hecht, Boardmember	<u>yes</u>
P. Jonke, Boardmember	<u>yes</u>		

The resolution was passed by a vote of 4 to 0, with 3 absent.

P. Rush / vad
D, Rush, Acting Chairman
Southeast Planning Board

**Town of Southeast
Planning Board
One Main Street
Brewster, NY 10509**

April 26, 2016

TO: Architectural Review Board

FROM: Thomas LaPerch, Chairman
Southeast Planning Board

RE: Brewster Retail Outlet
1224 Route 22
Tax Map ID 57.-2-42

At the regular meeting of the Southeast Planning Board on 4/25/16, a motion was made to refer the above referenced application to your Board for review and recommendation to the Town Board. The Planning Board issued a Negative Declaration under the New York State Environmental Review Act (SEQRA) process on 4/25/16. The applicant will be sending your Board a copy of the proposed plans to aid you in your review.

If there is any additional information you require, please contact the Planning Board office.

Very truly yours,


David Rush, Acting Chairman
Southeast Planning Board

cc: Town Attorney
Town Clerk
JR Folchetti & Associates

Town of Southeast

Planning Board
One Main Street
Brewster, NY 10509

April 26, 2016

Zoning Board of Appeals
1 Main Street
Brewster, NY 10509

RE: BREWSTER RETAIL OUTLET, 1224 Route 22, TAX ID 57.-2-42

Dear Boardmembers:

At the 4/25/16 regular meeting of the Town of Southeast Planning Board a motion was made to refer the above referenced application to your Board for the following:

1. The proposed canopy would be a new structure within the front yard setback. A setback of 4 feet is provided where 100 feet is required. Therefore the Applicant is seeking a variance of 96 feet.
2. The proposed project would increase the pre-existing non-conforming lot coverage. Lot coverage of 80.6% is proposed, where a maximum of 45% is permitted. Therefore the Applicant is seeking a variance of 35.6%
3. The proposed project would reduce the pre-existing non-conforming open space on the site. Open space of 19.4% is proposed where a minimum of 55% is required. Therefore the Applicant is seeking a variance of 35.6%
4. The proposed project would reduce the rear parking setback on the site. A setback of 16 feet is proposed where 100 feet is required. Therefore the Applicant is seeking a variance of 84 feet.

A copy of the Town Planner's memorandum is attached for your information.

Sincerely,

David Rush, Acting Chairman

Town of Southeast Planning Board

Attachment

cc: Town Attorney
Town Clerk
Jr. Folchetti & Associates
Planning Board File



AKRF, Inc.
Environmental Planning Consultants
34 South Broadway
Suite 401
White Plains, NY 10601
tel: 914 949-7336
fax: 914 949-7559
www.akrf.com

Memorandum

To: Town of Southeast Planning Board
From: Ashley Ley, AICP
Date: April 22, 2016 (Rev. April 24, 2016)
Re: Brewster Retail Outlet
cc: John Folchetti

AKRF, Inc. has reviewed the following documents and plans for the above reference project:

1. Brewster Retail Outlet site plan set (9 sheets), prepared by J. Robert Folchetti & Associates, LLC, dated March 2016.

PROJECT DESCRIPTION

The Applicant proposes to renovate an existing gas station/service center to gas station/convenience store. The Applicant proposes to expand the parking area and related improvements, and to install a new canopy. The Project Site is pre-existing non-conforming and will require several area variances, a determination by the Planning Board under 138-11.D, and Site Plan Approval. The property is located at 1224 Route 22, in the RC Zoning District.

COMMENTS

- As requested following the 3/21/16 Planning Board meeting, the Applicant has submitted lighting and landscaping plans.
- The proposed lighting plan includes a dark area between the proposed canopy and the parking spaces along the southern property line. In addition, lighting would spill over the property line in this location. The Applicant should consider relocating or re-orienting the lighting pole and/or fixture to eliminate the dark spot and spill over.
- The proposed landscaping plan is sufficient for ARB review. However, details on the proposed sign should be provided.
- The schedule of dimensional requirements should show the distance from the proposed canopy to the front property line, as the proposed canopy would increase the pre-existing non-conforming setback in this location. In addition, the existing and rear parking setbacks appear to be miscalculated, as the parking area behind the building would expand under the proposed project.
- The proposed project will require the following area variances:

- The proposed canopy would be a new structure within the front yard setback. A setback of 4 feet is provided where 100 feet is required. Therefore the Applicant is seeking a variance of 96 feet.
- The proposed project would increase the pre-existing non-conforming lot coverage. Lot coverage of 80.6% is proposed, where a maximum of 45% is permitted. Therefore the Applicant is seeking a variance of 35.6%
- The proposed project would reduce the pre-existing non-conforming open space on the site. Open space of 19.4% is proposed where a minimum of 55% is required. Therefore the Applicant is seeking a variance of 35.6%
- The proposed project would reduce the rear parking setback on the site. A setback of 16 feet is proposed where 100 feet is required. Therefore the Applicant is seeking a variance of 84 feet.

RECOMMENDED ACTIONS

At the April 25, 2016 Planning Board meeting, AKRF recommends that the Planning Board: (1) declare Lead Agency; (2) open and close the public hearing; (3) consider a Negative Declaration; and refer the Applicant to the ARB and ZBA.

TOWN OF SOUTHEAST

APPLICATION SUMMARY SHEET

Proj. Name: Grace Assembly of God **S/B/L:** 45.12-1-9 **Zone:** R-160

Description: Installation of a 36 space gravel parking lot, 10' x 20' utility shed, and 48' x 80' pavilion for use by the Grace Assembly of God church. Application requires a Special Permit for House of Worship and Recreation uses in the R-160 Zoning District

Engineer: Insite Engineering

SEQR ACTIONS COMPLETED:		TYPE OF ACTION: Unlisted Action	
<input checked="" type="checkbox"/> Intent to Declare Lead Agency		Date: 6/23/14	
<input checked="" type="checkbox"/> Declare Lead Agency		Date:	
<input type="checkbox"/> EAF Submitted		Date:	
<input type="checkbox"/> Determination of Significance by Board		Date(s):	
MAJOR/MINOR PROJECT: Major Project			
Date Classified:		Waiver of Public Hearing (Minor Project Only)? <input type="checkbox"/> Y <input type="checkbox"/> N	
LOCAL AND AGENCY REVIEW		REFERRAL DATE	STATUS/DATE OF LETTER
REQUIRED?			
Yes	No		
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Town Board (Special Permit)	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Town of Southeast ARB	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Wetland Permit	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Historic Sites Commission	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Town Highway Department	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	MS4 Permit	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	County Planning Department (GML)	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	County Highway Department	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	County Health Department	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	NYSDEC	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	NYCDEP	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	NYSDOT	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Army Corps of Engineers	
VARIANCES OR BOARD WAIVER (IF APPLICABLE) <input checked="" type="checkbox"/> Y <input type="checkbox"/> N			
Variance or Waiver Request: Requires setback variance for parking lot (TB must authorize ability to pursue variance from SP criteria)			
Date Granted or Denied, and any conditions:			

PLANNING BOARD ACTIONS:	
Date	Discussion/Decisions/Resolutions
4/28/14	Sketch Plan Review
6/23/14	1) Declare Intent to be Lead Agency; 2) Set Public Hearing; 3) Classify as Major Project
7/28/14	1) Declared Lead Agency; 2) Opened PH & continued to 8/11/14
8/11/14	Opened PH and closed w/ 10 day written comment period
9/8/14	Negative Declaration; Referred to ARB; Referred to Town Board (Special Permit) and authorization to pursue variance (per §138-52.B)
4/27/15	Final Site Plan Approval
4/25/16	

<p>RECOMMENDED ACTION FOR MEETING:</p> <p>Consider extension of Final Site Plan Approval</p>

**TOWN OF SOUTHEAST
RESOLUTION
EXTENSION OF FINAL APPROVAL**

INTRODUCED BY: Rush

DATE: April 25, 2016

SECONDED BY: Jonke

WHEREAS, the Planning Board of the Town of Southeast has previously granted Final Approval by resolution dated 4/27/15, for a certain Project Development Plan known as **GRACE ASSEMBLY OF GOD**, located at 510 Rte. 312 in the R-160 Zone, also known and designated as Tax Map Number 45.12-1-9; and,

WHEREAS, the Planning Board is in receipt of a letter from the owner or their representative requesting an extension of the Final Approval for an additional period of one (1) year so that the applicant will be able to maintain Amended Site Plan Approval; and,

WHEREAS, the Planning Board of the Town of Southeast is disposed by the Zoning Ordinance of the Town of Southeast to grant or deny such extension of Final Approval,

NOW, THEREFORE, be it

RESOLVED, that an extension of the Final Approval for the Project development Plan known as GRACE ASSEMBLY OF GOD is hereby granted for a period of one (1) year, commencing on 4/27/2016 and subject to the conditions of said Final Approval.

UPON ROLL CALL VOTE:

T. LaPerch, Chairman	<u>absent</u>	D. Rush, Vice Chairman	<u>yes</u>
P. Wissel, Boardmember	<u>absent</u>	D. Armstrong, Boardmember	<u>yes</u>
E. Cyprus, Boardmember	<u>absent</u>	M. Hecht, Boardmember	<u>yes</u>
P. Jonke, Boardmember	<u>yes</u>		

The resolution was passed by a vote of 4 to 0, with 3 absent.

D. Rush
D. Rush, Acting Chairman
Southeast Planning Board /vad

TOWN OF SOUTHEAST

APPLICATION SUMMARY SHEET

Proj. Name: Brewster Ice Arena

S/B/L: 78.-2-16.2; **Zone:** OP-1
78.-2-14

Description: Proposed pedestrian connection with bollard lighting between existing parking lots at 7 Sutton Place and Brewster Ice Arena.

Engineer: Jim Hahn

SEQR ACTIONS COMPLETED:

TYPE OF ACTION: Type II

- Intent to Declare Lead Agency Date:
- Declare Lead Agency Date:
- EAF Submitted Date:
- Determination of Significance by Board Date:

MAJOR/MINOR PROJECT: Minor Project

Date Classified: Waiver of Public Hearing (Minor Project Only)? Y N

**LOCAL AND AGENCY REVIEW
REQUIRED?**

REFERRAL DATE

STATUS/DATE OF LETTER

- | | | |
|-------------------------------------|-------------------------------------|--|
| Yes | No | |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Town Board |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Town of Southeast ARB |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Wetland Permit |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Historic Sites Commission |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Town Highway Department |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | MS4 Permit (Verify disturbance under 5,000 SF) |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | County Planning Department (GML) |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | County Highway Department |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | County Health Department |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | NYSDEC |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | NYCDEP |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | NYSDOT |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Army Corps of Engineers |

VARIANCES OR BOARD WAIVER (IF APPLICABLE) Y N

Variance or Waiver Request:

Date Granted or Denied, and any conditions:

PLANNING BOARD ACTIONS:

Date	Discussion/Decisions/Resolutions
2/22/16	1) Classify as TOSE Minor Project & SEQR Type II Action; 2) Refer to ARB; 3) set public hearing
3/21/16	Open & close PH
4/25/16	

RECOMMENDED ACTION FOR MEETING:

1) Consider final site plan approval

NOTE: Per Stephen Coleman 3/21/16, a wetland permit is not required

**TOWN OF SOUTHEAST, NY
RESOLUTION
SITE PLAN APPROVAL**

INTRODUCED BY: Rush DATE: April 25, 2016
 SECONDED BY: Hecht

WHEREAS, BREWSTER ICE ARENA and 7 SUTTON PLACE as the Applicants/Owners of certain properties located 64 Fields Lane and 7 Sutton Place in the OP-1 Zoning District in Town of Southeast and known and designated as Tax Map Numbers 78.-2-16.2 & 78.-2-14 have submitted an application for Site Plan approval for a proposed pedestrian connection with bollard lighting between existing parking lots at 7 Sutton Place and Brewster Ice Arena (the "Proposed Project"); and,

WHEREAS, the Town of Southeast Planning Board, acting as Lead Agency for the purposes of the State Environmental Quality Review Act (SEQRA), classified this as a Type II Action on or about 2/22/16, indicating that no environmental impact would exist;

WHEREAS, the Town of Southeast Planning Board (the "Planning Board") has thoroughly reviewed the application and the following documents and plans, as well as memos from its consultants:

Drawing No. & Title; submitted by	Original Date; Last Revised
Memorandum to Chairman LaPerch from Hahn Engineering	2/28/16
Statement of Use, prepared by Hahn Engineering	Undated
Proposed Pathway Schedule, prepared by Hahn Engineering	3/31/16
C-1, Overall Site Plan and Aerial Plan, prepared by Hahn Engineering	1/26/16; 2/17/16
C-2, Pathway Site Plan, prepared by Hahn Engineering	1/26/16; 2/17/16

; and,

WHEREAS, the Planning Board has reviewed said drawings in addition to reports and correspondence filed with those drawings and has caused the same to be reviewed by its consultants; and,

WHEREAS, the Planning Board has determined on the basis of its own review and the review comments received from its consultants that the drawings and reports and other information submitted by the applicant are in substantial compliance with Chapter 138, "Zoning," (specifically Article IX thereof) of the Town of Southeast Code; and,

WHEREAS, the Planning Board is in receipt of a referral dated 3/21/16 from the Architectural Review Board recommending approval of the architecture of the Proposed Minor Action; and

NOW THEREFORE BE IT RESOLVED, that pursuant to the authority vested in the Planning Board by Chapter 138, "Zoning," of the Town Code, the Planning Board hereby grants Final Approval for the Proposed Action, as defined above, subject to the following Conditions identified below. (For purposes of compliance, these conditions, and any other conditions identified in the environmental review of the Proposed Action, shall be enforceable by the Town of Southeast in accordance with the Town Code of the Town of Southeast).

General Conditions

1. The Applicant must conform to all the rules, regulations, and ordinances of the Town of Southeast, County of Putnam, and State of New York.

2. The Applicant is hereby bound by any statements offering modifications, improvements, or offerings to the Town of Southeast made by itself or its representatives in relation to approval of the Proposed Project.
3. Prior to issuance of a Building Permit, the applicant will submit to the Planning Board information pertaining to the specific tenant/use and, if necessary, an amended site plan application showing any proposed modifications to the site for the specific tenant/use.
4. Pursuant to §138-85.D , where a proposed use or proposed building or other structure involves the installation, extension, relocation or reconstruction of a sewage disposal or water supply system, no building permit shall be issued until plans for such a system have been approved by the County of Putnam, State of New York, City of New York or any regulatory agency having jurisdiction as required by law. No certificate of occupancy shall be issued until such a system has been completed and approved by such an agency as required by law or until the use or building or structure has been provided with the connections to a previously completed and approved sanitary sewer and public water supply system.
5. The Proposed Action shall be constructed in coordination with the approved site improvements for the **Pathway between Brewster Ice Arena and 7 Sutton Place** including all stormwater and wastewater treatment systems and conveyance systems.
6. The Applicant is granted approval based on generic review by the Architectural Review Board of building design and elevations and will have to seek a second review if modifications to the approved design are made. The Proposed Action shall be constructed in accordance with the approved plans and drawings for the specific tenant as reviewed by the Architectural Review Board and approved by the Planning Board.
7. Pursuant to §138-41.E(4), the applicant shall provide to the Town of Southeast Planning Board one full set of final full-sized plans and five copies of the filed plans on eleven-inch by seventeen-inch, or similar, paper, with a graphic scale indicated (to allow for scale measurements of photo-reduced drawings), for distribution to the Town Engineer, the Planning Board, the Town Clerk, the Building Inspector, and the Town Planner. This final plan set shall include the final architectural plans recommended by the Architectural Review Board and approved by the Planning Board. Each of these sets shall be bound, and shall contain a signature box on the Index or Title Page for the Planning Board Chairman's Signature. No Building Permits shall be issued until these plan sets have been submitted to the Planning Board Secretary and signed by the Planning Board Chairman.
8. The Applicants shall submit two (2) sets of as-built plans to the Town of Southeast Building Department and one (1) full size set to the Planning Board after final construction is completed. The as-built plans must show all buildings and site improvements, the impervious surfaces, landscaping, and final design specifications for all stormwater management facilities. The plans must be certified by a professional engineer.

Financial & Legal Considerations

1. The Applicant shall post a Performance Bond in an amount determined by the Town Engineer and recommended by the Planning Board for Town Board approval to ensure all site grading, stormwater management, and road improvements will be made in accordance with the approved drawings, Town of Southeast Code and to the satisfaction of the Town Engineer and/or Highway Superintendent. The Performance Bond may also be used to finance necessary work to stabilize the project site should the Applicant abandon the project and the Town is forced to complete necessary improvements. The establishment of the Performance Bond shall be done in a form acceptable to the Town Counsel. The bond amount will be based upon 2016 construction costs. If the construction is not begun during the calendar year 2016, the Applicant must re-apply to the Planning Board for an adjustment of the bond amount to account for escalation of material and labor costs. Upon such request to the Planning Board, the Planning Board shall make a recommendation to the Town Board and the Town Board shall diligently set a new bond amount in accordance with the recommendation of the Town Engineer. The Performance Bond must be paid prior to the start of any work on the site and/or the filing for a Building Permit. The Southeast

Planning Board requests that the Southeast Building Inspector withhold the Certificate of Occupancy until the Planning Board or its duly authorized representative has made an inspection of the subject improvements and determined that the Applicant has complied with all the conditions of this approval.

2. No certificate of occupancy for the structures depicted on the project development plan/site plan shall be issued or occupancy permitted unless and until the site improvements associated with the development shall be fully completed by the developer or substantially completed to the satisfaction of the building inspector and a valid performance bond is posted, in an amount equal to the amount necessary to fully complete the outstanding site improvements, to ensure faithful completion thereof within a reasonable period of time not to exceed six months.
3. Any and all outstanding inspection, engineering, or planning consulting fees shall be paid to the Town prior to the issuance of a Certificate of Occupancy for any improved lot.
4. All construction, design, approvals, conditions, restrictions, and requirements of the previously approved site plan, and building permits shall still be applicable except and only to the extent that same are modified herein. The inclusion of certain previously adopted conditions in this resolution shall not be deemed as a waiver of past conditions not recited herein.

Construction Activity

1. At least ten (10) days prior to commencing construction of any required improvements, the Applicant shall notify the Building Inspector and the Town Engineer, in writing, of the time when it proposes to commence construction of such improvements so that the Building Inspector may cause an inspection to be made to ensure that all Town specifications and requirements shall be met during the construction of required improvements. The Applicant shall provide a general construction phasing schedule to the Building Inspector, Planning Board and Town Engineer and shall update that schedule, and provide copies to the Building Inspector, Planning Board and Town Engineer, throughout the construction process, as necessary.
2. The Town shall require a pre-construction conference between the Town Engineer and Town Highway Superintendent and the owner or owner's representative, general contractor and on-site engineer to review construction phasing plans, inspections schedules, and requirements for complying with all regulations and conditions of this approval prior to commencing construction. The following items shall be completed by the Applicant prior to scheduling a pre-construction conference:
 - a) Performance Bond and Erosion and Sediment (E&S) Control Bond shall be posted with the Town Clerk;
 - b) Inspection Fees shall be paid to the Planning Board;
 - c) Escrow Account shall be in good standing;
 - d) In accordance with item #7 under "General Conditions" above, approved/signed plans shall be on file with the Planning Board and the Building Department; and
 - e) The MS4 Acceptance, proof of mailing of Notice of Intent (NOI), and E&S shall be completed and on file with MS4 Administrator.
3. The Town of Southeast Building Inspector or its designee may make periodic inspections to ensure that all site work and site improvements are being made in conformance with the approved plat, its conditions, and all Town of Southeast Code requirements. The Applicant shall designate a responsible and competent person to be the on-site construction manager who shall be responsible for ensuring the continued compliance with the approved plat, its conditions, and all Town of Southeast Code requirements. The Applicant shall ensure that all remedial measures are taken within 72 hours of any notification of deficiencies relating to construction. If appropriate measures are not implemented to the satisfaction of the Town Engineer, a stop work order may be issued by the Town and/or a fine imposed according to Town Code.
4. Should project changes be required that would represent a significant change to the approved plans, the Applicant may be required to seek an amended approval from the Planning Board.

5. The Applicant shall retain the services of a professional engineer and/or a landscape architect (in accordance with the drawings prepared) throughout the construction process who shall periodically observe the construction of all approved improvements, except improvements to Town of Southeast roads and drainage (which shall be inspected by the Town Engineer and/or Highway Superintendent). The Applicant's professional engineer and/or landscape architect shall provide a statement, in writing, that all approved improvements have been constructed substantially as required and approved by the Planning Board or as such requirements have been modified.

6. Prior to commencing any site clearing, grading, or construction activity, the Applicant shall have the boundary of the property staked out by a licensed surveyor.

7. A copy of the completed NOI to comply with the New York State Department of Environmental Conservation (NYSDEC) General Permit for Construction Activity shall be maintained at the on-site construction office.

8. All sediment and erosion control measures or Best Management Practices indicated on the approved plans and/or required for compliance with the NYSDEC General Permit for Construction Activity shall be installed at the commencement of grading activities and shall be inspected on a weekly basis (or following any storm event in excess of one-half inch) to ensure proper function. All construction activities shall adhere to the provisions for sediment and erosion control contained in the NYSDEC's *New York Standards and Specifications for Erosion and Sediment Control*.

9. The design and construction of all proposed water quantity and water quality best management practices shall adhere to the *New York State Stormwater Management Design Manual*.

10. Any drainage improvements that would affect a Town drainage structure or element or any improvements to Town of Southeast roads shall be made in accordance with the Town Road and Drainage Specifications (Chapter A143 of the Town Code) and shall be made under the direction and supervision of the Highway Superintendent.

11. The Town Highway Superintendent must be notified a minimum of 72 hours in advance of any construction activity affecting the Town drainage system or any Town Road except where emergency repairs are required, in which case the Highway Superintendent must be notified as soon as possible after the affected area has been stabilized.

12. Existing trees, understory vegetation, and ground cover along all property lines shall remain undisturbed to the maximum extent practicable throughout the duration of construction. Should any disturbance be required to construct approved improvements, the area shall be replanted with comparable vegetation as soon as is practicable following completion of construction activity in that area.

13. All disturbed areas shall be stabilized pursuant to NYSDEC regulations. Should disturbed areas remain disturbed for periods longer than one month, more permanent stabilization measures shall be installed.

Landscaping

1. Prior to planting according to the approved landscape plan, the Applicant shall stake the location of all proposed landscaping and allow for a site inspection by the Planning Board or its designees to ensure that the proposed landscaping will provide the maximum screening benefit and/or that the proposed landscaping is suitable for the visual setting and overall appearance of the project site.

2. All landscaping shall be installed in a healthy and vigorous state and shall be inspected at the beginning and end of the growing season within the first year of installation. Individual species that do not survive beyond the first year shall be replaced at the beginning of the next growing season. Landscaping shall be maintained for the life of the facility. In the event that said landscaping is not maintained to the satisfaction of the Building Inspector or Code Enforcement Officer (CEO), the Building Inspector or CEO shall notify the applicant in writing of the violation. If the required landscaping maintenance is not

performed within 30 days to the satisfaction of the Building Inspector or CEO, the Town shall correct the violation and be reimbursed for Town costs by the applicant.

3. The Applicant shall provide an on-site and qualified arborist or landscape architect to supervise construction activity within 100 feet of any tree designated to be preserved on the approved plans. The arborist or landscape architect shall ensure that the tree protection measures indicated on the approved plans are in place and properly maintained throughout construction activity.

4. After final construction is complete, and prior to the issuance of a Certificate of Occupancy, the Applicant shall submit an as-built landscaping plan to the Town of Southeast Building Department. The as-built plan shall identify any discrepancies between the approved plan and the installed landscaping. The plans must be certified by a professional landscape architect, architect, or engineer.

UPON ROLL CALL VOTE:

T. LaPerch, Chairman	<u>absent</u>	D. Rush, Vice Chairman	<u>yes</u>
P. Wissel, Boardmember	<u>absent</u>	D. Armstrong, Boardmember	<u>yes</u>
E. Cyprus, Boardmember	<u>absent</u>	M. Hecht, Boardmember	<u>yes</u>
P. Jonke, Boardmember	<u>yes</u>		

The resolution was passed by a vote of 4 to 0, with 3 absent.

D. Rush / vad
D. Rush, Acting Chairman
Southeast Planning Board



Jacobson

April 25, 2016

Mr. Thomas LaPerch, Chairman
Town of Southeast Planning Board
One Main Street
Brewster, NY 10509

Re: Parking Pathway Interconnect
63 Fields Lane & 7 Sutton Place
Amended Site Plan
NLJ #0001-0765

Dear Mr. LaPerch:

As requested, we have reviewed the following information received for the subject project at our office through April 22, 2016:

- Item 1: Letter to Ms. Victoria Desidero, from James J. Hahn, P.E. dated March 28, 2016.
- Item 2: Set of two (2) drawings entitled "Proposed Parking Pathway Interconnect for 63 Fields Lane & 7 Sutton Place, Town of Southeast, Putnam County, New York", scale as noted, dated 1/26/16, revised 2/17/16, prepared by James J. Hahn Engineering, P.C.
- Item 3: Town of Southeast Application for Final Site Plan Approval dated 3/24/16, accompanied by supporting information.
- Item 4: Letter to Mr. Thomas LaPerch, Chairman from James J. Hahn dated March 8 2016, accompanied by culvert design calculations.

The submitted information satisfies the final plan requirements of Section 138-41 of the Southeast Code. As such, we would have no objection should the Planning Board choose to grant final site plan approval for the subject application.

Should you have any questions, please do not hesitate to contact me.

Very truly yours,

NATHAN L. JACOBSON & ASSOCIATES, P.C.

Joseph M. Dillon, P.E.

JMD:jmd

cc: T. Hay	M. Bruen
M. Levine	M. Stancati
S. Coleman	A. Ley
W. Stephens, Jr.	J. Hahn